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February 17, 2004

Mr. James W. Reede, Jr. MPPA
Project Manager
California Energy Commission
Energy Facilities Siting and Environmental Protection Division
1516 Ninth Street, MS 15
Sacramento, CA 95814-5512

RE: El Segundo Power Redevelopment Project, Application for Certification (00-AFC-14)
Comments on Presiding Member's Proposed Decision for Committee Conference February 23, 2004

Dear Mr. Reede,

Intervenor, the City of Manhattan Beach thanks you for the continuing opportunity to participate in this important project and is submitting the following comments in response to the Notice of Committee Conference on Proposed Decision scheduled for February 23, 2004. Revisions to the Conditions of Certification are shown as redline/underline and strikeout text. The following comments may be expanded on or amended at the February 23rd Conference.

Biology

We would suggest that approval of the project should be contingent on the completion of a marine biology study as proposed by Section 316(b) of the Federal Clean Water Act and that the project further be conditioned upon the implementation of any mitigation measures recommended or indicated as necessary by the completed study. We would recommend this regardless of when the revised federal regulations are finally adopted in order to save the Applicant the expense and delay of modifying its project at a later date and to avoid any damage to the marine environment which might occur in the interim between the completion of the project and the completion of the marine biology study. To allow the project to be completed before the completion of a study could risk potential damage to the marine environment.

Land Use-

Our records indicate that the following language was agreed to at the December 18, 2002 Workshop as documented by the CEC in a letter dated January 6, 2003- 2nd Response to Comments and Errata to the Final Staff Assessment-Land Use.

1. Page 127- LAND-5 Verification, 2nd paragraph, revise as follows:
At least 60 days prior to submitting any ~~building permit~~ applications.....
2. Page 128- LAND-9 , third sentence, revise as follows:

Fire Department Temporary Facility Address: 1599 Valley Drive, Manhattan Beach, CA 90266 FAX (310) 802-5201
Police Department Temporary Facility Address: 1501 N. Peck Ave., Manhattan Beach, CA 90266 FAX (310) 802-5101
Public Works Department Address: 3621 Bell Avenue, Manhattan Beach, CA 90266 FAX (310) 802-5301
Visit the City of Manhattan Beach Web Site at www.citymb.info

The project owner shall install public park-type benches within the public use area along the west property line of the ESGS.

And Verification, revise as follows:

The public park-type benches.....

Noise

Our records indicate that the following language was agreed to with the Status Report #5 and Proposed Noise Conditions of Certification dated July 9, 2002.

1. Page 141-NOISE-8 Tank Farm Area, end of Second paragraph, revise as follows:
Construction activity outside the hours described will not be allowed in the area south of the southern tank, which shall be termed the nighttime exclusion area. (See Attached Map)

Visual

Our records indicate that the following language was agreed to at the January 7, 2003 Prehearing Conference as documented by a letter docketed by the City of Manhattan Beach on January 7, 2003, and in e-mails dated January 7, 2003 and December 27, 2002.

1. Page 187, VIS-2, 2) b), revise as follows;
 - b) Graphic documentation on the plan and through digital photo simulations of Bay view corridors and power plant screening which would exist from Vista Del Mar and the residential area east of Highland that has views of the project site after project construction; and
2. Page 191, VIS-5, between the 1st and 3rd paragraph, add as follows:
The project owner shall consult with representatives of the Cities of El Segundo and Manhattan Beach to determine if specific treatment or painting options that may improve the aesthetic appearance of the project are desired, and shall provide a report to the CPM.

We look forward to receiving information and participating in the upcoming Conference, and more comments may be submitted at the Committee Conference if new issues arise. Thank you for your consideration. Should you have any questions please feel free to contact me at (310)-802-5510 or at my e-mail address, ljester@citymb.info.

Sincerely,

Laurie B. Jester
Senior Planner

Xc: Geoff Dolan, City Manager
Richard Thompson, Director of Community Development
Bob Wadden, City Attorney
Don Behrens, Behrens and Associates
POS List